

MINUTES OF THE TWO HUNDRED AND SEVENTIETH MEETING

July 3, 1973

Pursuant to adjournment the Ohio Turnpike Commission met in regular session in the conference room of the Ohio Department of Transportation building at 139 East Gay Street in Columbus, Ohio at 11:00 a.m. on July 3, 1973 with key members of the staff; a representative, Harvey A. Harnden, of the Consulting Engineers; representatives, Robert H. Bartholomew and P. Joseph Sesler, of the Trustee, and others in attendance.

The meeting was called to order by the Chairman. The roll was called and the attendance was reported to be as follows:

Present: Teagarden, Chastang, Richley, Shocknessy.

Absent: Anderson.

The Chairman announced that a quorum was present. The Chairman said Mr. Anderson was recuperating from two serious operations and had telephoned to say that he was willing to come if he was needed but that he would be just as glad not to attend.

The Chairman said the Commission elected its officers at the July meeting in the odd numbered years and that it had been customary throughout its history for the Director of Highways, now the Director of Transportation, to introduce the nominations because the Director was the representative of the State Administration always.

Mr. Richley said that in view of what he considered to be the commendable job the present administration of the Turnpike Commission had done over a large number of years, he moved that the same officers who were presently holding the various positions, the Chairman, the Vice Chairman, and the Secretary-Treasurer, be re-elected pursuant to law for two year terms and to hold those same positions effective with the current meeting until their successors are elected.

A resolution for the election by those officers of the Commission was accordingly introduced as follows by Mr. Richley:

RESOLUTION NO. 12-1973

"RESOLVED that the following officers be elected, each to serve until July 1, 1975, and until his respective successor is elected and qualified; provided, however, that should any officer hereby elected who is now a

member or employee of the Commission cease to be such a member or employee, the term of such officer shall terminate at such time as he ceases to be such member or employee:

For Chairman James W. Shocknessy

For Vice Chairman O. L. Teagarden

For Secretary-Treasurer Charles J. Chastang "

The nominations were seconded severally as to each nominee by the remaining Members as follows:

The nomination of James W. Shocknessy for Chairman was seconded by Mr. Teagarden and Mr. Chastang.

The nomination of Mr. Teagarden for Vice Chairman was seconded by Mr. Chastang.

The nomination of Mr. Chastang for Secretary-Treasurer was seconded by Mr. Teagarden.

There being no further nominations the Chairman declared the nominations closed and each office was voted upon in turn by roll call. Mr. Shocknessy asked Mr. Teagarden to preside for the election of the Chairman. The votes for the respective nominees were as follows:

For Chairman, Mr. Shocknessy.

Ayes: Richley, Teagarden, Chastang.

Nays: None.

Not Voting: Mr. Shocknessy.

For Vice Chairman, Mr. Teagarden.

Ayes: Richley, Chastang, Shocknessy.

Nays: None.

Not Voting: Mr. Teagarden.

For Secretary-Treasurer, Mr. Chastang.

Ayes: Richley, Teagarden, Shocknessy.

Nays: None.

Not Voting: Mr. Chastang.

The Chairman declared the officers elected and the resolution adopted. The resolution was identified as No. 12-1973.

Mr. Chastang advised the Members that it was incumbent upon him to appoint an Assistant Secretary-Treasurer. He stated that he appointed Mr. Allan V. Johnson, the Commission's Executive Director, to be Assistant Secretary-Treasurer of the Commission, such appointment to be effective July 3, 1973, and Mr. Johnson to serve at pleasure, provided that if Mr. Johnson should cease to be an employee of the Commission, he would cease to be Assistant Secretary-Treasurer. Mr. Chastang stated that the appointment required the assent of the Commission which was thereupon given.

The Chairman said that at the time he was reappointed by Governor Michael V. DiSalle in 1959 the Governor wrote him a letter and said he did not know who the Governor would be in 1980 but he did know who the Chairman of the Turnpike Commission would be. The Chairman said he had had 24 interesting years as Chairman of the Commission and that there had never been a Member of the Commission who had not been a joy to serve with and there had never been a Member of the Commission who sought to inject partisanship into its activities. He said there had never been a Member who offered in any respect to pressure the Commission to buy goods or services from anyone and he did not think there was much more that could be said except that the Commission had had the same experience with every Governor and that the Commission had functioned under six governors' administrations.

Mr. Teagarden said there had been six, perhaps seven, Directors of Highways and now of Transportation on the Commission. He said some Directors had been Democrats and some Republicans and he thought it remarkable that the Commission's association with the Directors had always been so good. He wanted to be sure that the Director of Transportation was included. Mr. Teagarden said he remembered that, in the first four years of the Commission's existence, the Commission was in the courts most of the time and he could not have asked for more cooperation than was given by the then Directors of Highways.

Mr. Chastang said the Commission could not overlook the fact that it had had through the years extraordinarily good and dedicated men as administrators and staff of the Ohio Turnpike, collectors and all employees. He

said every employee had done a good job and lived for the Commission. The Chairman said that because the Commission was beginning its 25th year everyone should be included, the governors, the Trustee, the Ohio Turnpike revenue bond group, fiscal counsel, the Consulting Engineers and all the people that the Commission had lived with over the years. He said the Commission had had not only cooperation and support, but real expertise in its staffs and in everybody who worked with the Commission.

The Chairman said the Commission was now down to the point that by the end of the year there would be less than \$135,000,000 of debt outstanding. He said the Commission would have paid off more than \$191,000,000 by the end of 1973. He said no great point had been made of it, but the Trustee had been able to buy bonds in June which had never been possible in June before. It had bought more than \$1,000,000 worth of bonds in June. He said the appearances were that the year would see more than \$20,000,000 worth of bonds retired. He said that by the end of 1974 the Commission ought to be within shouting distance of \$100,000,000 even despite the gasoline shortage. He said he was sure the Commission was right in paying off as fast as it could over the years because although the Commission had never anticipated a gasoline shortage or any other such specific problem it did occur to the Commission 20 or 25 years ago that there could always be rationing because of a war or other national catastrophe. He said the Commission's policy was to go ahead and pay and that was what it had done. He said the Commission now heard of gasoline rationing spoken about although he had a feeling that whatever gasoline rationing there might be or could be in the offing would not likely destroy the Commission's economic position.

The Chairman reported the minutes of the June 5 meeting had been submitted and corrected and were ready for adoption.

A motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the minutes for the meeting of June 5, 1973 which had been examined by the Members and on which the corrections suggested by the Members had been made be approved without reading.

A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Chastang, Teagarden, Richley, Shocknessy.

Nays: None.

The Chairman declared the minutes adopted with all Members present voting in the affirmative.

The Chairman reported that since the last meeting, pursuant to bylaws, the Executive Director, Allan V. Johnson, had announced the appointment of Francis K. Cole to be General Counsel, with the assent of all Commission Members by telephone before doing so and accordingly could declare the appointment final. He said the Executive Director would speak further on the matter in his report. He said Judge Lockwood Thompson had resigned and had gone off duty on June 29. He said every Member of the Commission had received a copy of the Chairman's letter written in behalf of the Commission to Judge Thompson advising him of the reluctance with which the Commission had accepted the Judge's resignation at the June meeting.

The Chairman reported also that the revenue bonds in the amount of \$1,207,000 acquired in June were purchased at an average price of 94.94 and retirements to date were \$172,390,000 and the outstanding debt was \$153,610,000 and by the end of the year the outstanding debt should be less than \$135,000,000.

The Chairman reported also that revenues in June were approximately \$4,487,000, which was \$369,000 more than June 1972, which had been the previous record June. He said every year, every month seemed to be the record month. He said it was rare that every month of the current year was not the best month. He said a significant aspect of the June 1973 revenue was the increase in commercial traffic. He said an all-time record for trucks was set in the week ending June 16 when \$418,228 was collected from trucks alone.

The Chairman reported also there had been four fatal accidents with five fatalities in June upon which the Executive Director would comment.

The Chairman reported the Texaco controversy which had been discussed at the previous meeting had been settled to the Commission's satisfaction at least temporarily with an injunction by the Common Pleas Court of Cuyahoga County handed down by Judge Adrian B. Fink, Jr. He said all Members of the Commission had received copies of the opinion, which was a very well reasoned and fine opinion and that many requests had been received at the Berea headquarters by the General Counsel's office for exhibits, copies of pleadings, and copies of the decision and the entry.

Mr. Chastang said he had received a copy of the opinion and he thought it was an excellent opinion. He said the opinions were always good when one won. He said he had never seen a bad winning opinion.

The Chairman reported also that Time magazine for June 25, 1973 had a story saying that gasoline was rationed on the Ohio Turnpike despite the fact that gasoline had never been rationed for an instant on the Ohio Turnpike.

The Chairman said he had asked the Executive Director whether Time for July 2 had a correction. He was told that there was not. He said that Time had coldbloodedly advised the Commission that it would not correct the statement. He said the sales of gasoline had not been limited on the Ohio Turnpike for even an instant. He said Texaco had signs ready to put up when the Ohio State Highway Patrol delivered Judge Fink's order.

Mr. Teagarden said he had read an article to the effect that Texaco had now demanded a jury trial. The Chairman said it was true. He said he was not concerned about it. He said the Commission would just proceed as it had many times in similar situations and it was always upheld by public opinion. He said "If the President of the United States or other competent authority were to declare an emergency, even though the Dartmouth College case would still protect the contract with Texaco, I for one, as a Member of the Commission, would not contest the President's right to restrict and limit sales."

The Chairman reported also there had been a column in the Cleveland Press on Saturday, June 30, that said there was more than passing interest in his absence from a recent meeting Governor John J. Gilligan had held with the oil companies to explore a possible gasoline shortage. He said there was nothing esoteric about his absence, just that he had not been invited, and that he did not go to places where he was not invited. He said that was why he was not there in case anybody on the Commission saw the article and wondered why he had not gone. He said at the time he was the living embodiment of confrontation with the oil crisis and he hoped it was not that he would have been an embarrassment to the Governor to have him present with the oil lobbyists that he was not invited.

Mr. Richley said it was an oversight and that the meeting had been that of a cabinet task force.

The Chairman said a copy of the column should be kept in the archives and he did not know it was just a cabinet meeting and neither did the columnist know it.

Mr. Richley said the bigger petroleum producers were invited. The Chairman said the oil lobbyists had been invited as well. Mr. Richley said persons who represented certain industries, including construction companies, had been invited. The Chairman said Banquo's ghost was probably more noticeable by his absence than his presence. The Chairman said he might have said something had he been there but he was not sure. In any case, he said, he had not been invited.

The Chairman reported that Governor William T. Cahill of New Jersey had been defeated at the primary. He said Governor Cahill had picked up the

issue of using New Jersey Turnpike revenue in his state as had been proposed last year in Ohio and tossed the issue around and then was beaten in his own primary. Mr. Richley said there were other reasons, to which the Chairman agreed, and said that there was that one.

The Chairman said in the absence of further questions the report of the Chairman was accepted as offered. He said the report of the Secretary-Treasurer would be received.

The Assistant Secretary-Treasurer, Mr. Johnson, reported for the Secretary-Treasurer, Mr. Chastang, that since the last meeting the following had been sent to all Members:

1. Traffic and Revenue Report for May 1973.
2. Financial statements as of May 31, 1973.
3. Draft of the minutes of the June 5, 1973 meeting.
4. Detail of investment transactions which took place in June 1973.

The Chairman said the report of the Secretary-Treasurer was accepted as offered. He determined that there was no report from the Committee on Budget and Finance. He asked for the report of the Committee on Service Plazas.

The chairman of the Committee on Service Plazas, Mr. Teagarden, reported that members of the Turnpike staff would visit the service plazas over the Fourth of July holiday to make certain that patrons were given good service.

The Chairman said the report of the Committee on Service Plazas was accepted as offered. He determined that there was no report from the Committee on Employee Relations. He then asked for the report of the Director of Transportation.

The Director of Transportation, Mr. Richley, reported only that during the week of July 10th the Department of Transportation was going to award the contract for the westerly portion of I-90 which would include the limited interchange facility with the Turnpike. He said bids would be opened on July 10.

The Chairman said the report of the Director of Transportation was accepted as offered. He said the report of the Committee on Safety would be received.

The chairman of the Committee on Safety, Mr. Johnson, reported that

there had been five deaths in four fatal accidents during June, which made a total of 14 deaths for the first six months of the year compared with 13 deaths in the similar period in 1972. He said that the fatal accidents in June 1973 were especially senseless ones. He said they included a double fatality which involved a car that suffered a steering failure, crossed the median and struck another vehicle. Mr. Johnson said another fatal accident involved a camper vehicle that left a service plaza going in the wrong direction on the Turnpike and struck a tractor trailer head on. He said the accident occurred at 11:00 at night and the driver evidently had become confused in the service plaza and drove it in the wrong direction. He said the driver of the camper vehicle had entered the Turnpike six hours before the accident occurred and that the accident had occurred at milepost 60. He said the accident occurred in the eastbound lanes so that the driver must have pulled into the service plaza and slept or done something else there and then exited through the entrance drive. He said another accident was classified as a pedestrian accident in which a driver had been involved in a minor accident near the Eastgate Terminal where the lanes approach one another in order to join the Pennsylvania Turnpike which has a much narrower median than the Ohio Turnpike. He said the driver had been slightly injured and got out of his vehicle and was sitting on a guard rail when a tractor trailer struck and killed him.

The Executive Director said the Fourth of July would fall in the middle of the week and there would probably be two busy weekends but that the Fourth was unlikely to set any records because it was not a weekend.

The Chairman said the report of the Committee on Safety was accepted as offered. He said the report of the Executive Director would be received.

The Executive Director reported that the detail design of the toll audit system had been completed and had been approved and accepted by the Commission's staff and by the Consulting Engineers. He said work had proceeded simultaneously in other areas of the toll audit matter and later in the year a test plaza installation would be made at a facility of Electron Inc., the toll audit contractor, and after that a test installation would be made at North Olmsted-Cleveland (No. 9) Interchange on the Ohio Turnpike.

The Executive Director reported also that all mainline resurfacing projects had been completed before June 30. He said resurfacing of Interchange 9 and Interchange 14 was being done by Commission forces, that the resurfacing itself had been completed but that some final cleanup work remained to be done which could be completed without interference with traffic. He said Commission forces had also resurfaced the Tiffin River and Indian Meadow Service Plazas and the work was completed. He said work was continuing on resurfacing at Glacier Hills and Mahoning Valley Service Plazas under construction sequences and schedules which had been developed over



the last two years and which had been found to permit working in the summer without any inconvenience to either patrons or concessionaires.

The Executive Director reported also that the Pittsburgh Post-Gazette had carried an article by Edward Jensen, the Post-Gazette's legislative correspondent in Harrisburg, which mentioned the Ohio Turnpike Service Plazas favorably. The Executive Director read the first three paragraphs of the article as follows:

"Harrisburg - If a diner in a restaurant on the Ohio Turnpike is served four prunes instead of five, he can file a formal complaint against the restaurant for breaching its contract with the turnpike commission.

"Not only is the customer entitled to five prunes per serving, the prunes must be U.S. Grade A canned and served with no less than one third cup of juice.

"The example illustrates the minute level of control Ohio imposes on its food concessionaires in contrast to the lack of such supervision and standards in Pennsylvania."

The Chairman said the favorable article was the result of Mr. Teagarden's and the staff's efforts and for the record he wanted to congratulate Mr. Teagarden and Mr. Johnson on the article. Mr. Teagarden said the Ohio Turnpike had a good staff that did an excellent job; that he did not deserve all the credit. He said the Ohio Turnpike did something that perhaps other turnpikes did not do, followed up complaints and the people who made the complaints received reports of the follow-up.

The Executive Director reported also that the administration building addition was approximately 55% complete. He said the exterior work was done and the contractor was working on the interior. He said the work was on schedule despite the fact that the spring had been horrible for construction and that completion was scheduled for September 15, 1973.

The Executive Director reported also that the Cuyahoga River bridges were being painted by the Commission's own forces and that the job was approximately 60% complete.

The Executive Director distributed the progress reports on the facility study being conducted by the Consulting Engineers. He said there was nothing really significant to report as far as any results but that a great deal of work was being done. He said that in about a month the Commission would be in a position to review the final completion date of the report. He said the Con-

sulting Engineers had been working closely, in fact almost exclusively, with the Department of Transportation in developing the data. He said that in about a month the Commission's committee could sit down with the Consulting Engineers and review the entire study.

Mr. Richley said there was one small problem: the tone of the reports indicated that perhaps there was too much involvement with the Department of Transportation in terms of data collection. He said he did not want to leave the impression that the Consulting Engineers' report could not be completed despite what the Department might or might not be doing. He said he did not want to leave the impression either that the Department was not able to produce the kind of data that the consultants might need, and that they perhaps could not produce that information themselves. He said the point he was making was that he got the impression that material fed into the system appeared to be from the Department of Transportation and there were some areas in which the Department did not yet have that information. He said that he did not want the Department to accept all the responsibility for the support data inasmuch as when the conclusions became firm they would be far-reaching conclusions and he wanted to be sure that the Commission and the Department had the benefit of outside advice on what the projections said and what they did not say. He said he made his remarks only as a precaution and to express some growing concern that he had about what he read in the reports. He said the Department's information was offered freely but the Department expected that there would be a further review of the information and supplementary information that the Consulting Engineers might develop rather than a complete dependency on what the Department might furnish.

Mr. Harnden said it was the intention of the Consulting Engineers to review all the information, analyze it and reach some conclusions and that the Consulting Engineers had to rely mostly on the information from the Department of Transportation. He said there was not any other information available for the very elaborate study the Director wanted evolved. In answer to a question by the Chairman, Mr. Richley said the information was generated from his Department's transportation study and by counts of his own employees, but that he wanted to make it clear that the totality of the foundation of the report of the Consulting Engineers should not necessarily reflect only the input from the Department of Transportation.

The Chairman directed that the record should show fully what Mr. Richley had said and that Mr. Harnden should reply to the matter by letter. The Executive Director said that a great deal of the information about the Turnpike itself was unknown. Mr. Richley said his Department was waiting for traffic assignments from a particular study group and the assignments were not yet available. He said the Department in turn had contracted for a study group to provide that traffic data and that it might be a matter of six or seven months

before it would be on hand. He said the report of the Consulting Engineers should not suffer as a result. The Chairman said the Greiner Company report would not be delayed. The Executive Director said the people working on the report would work around the missing data and that as far as he knew there was only one set of statistics not yet reported and that was in the Toledo area. Mr. Richley said the report seemed to be falling behind schedule and the reason it was falling behind schedule was that information was not being supplied, or at least that was the impression left when one read the report. He said he was not being critical he was only reflecting the mood and an attitude he saw. The Chairman said it was all right to be critical. Mr. Chastang said he agreed with the concept that the report should be only supported by Department of Transportation data. The Chairman said the report should be an independent conclusion based only in part upon the sources of the Department of Transportation.

Mr. Richley asked that a copy of the progress report be forwarded to him every month by the Executive Director. The Executive Director said that would be done.

The Executive Director reported also that Mr. Cole who had been appointed General Counsel with the Commission's assent as stated by the Chairman in his report, had been an employee of the Commission for 20 years. He said he had grown to know Mr. Cole well and he was pleased to make the appointment. The Chairman said there was nothing better for an organization than promotions that came from within. He said promotions that came from within assured the continuity of the organization and the Commission had always tried to promote from within. Mr. Teagarden said he concurred.

The Executive Director reported also that Mr. Robert P. Barnett had been appointed Assistant Director of Information and Research and was sure the Members would like to greet him later in the day. He said that at the meeting Mr. Barnett was pinchhitting for the Director of Information and Research, Talbot Harding, who was in Scotland to attend the graduation of one of his daughters. The Chairman said Mr. Barnett had a challenge because there was no press at the meeting that day and he had to do the press job.

Mr. Johnson reported also that the five billboards ordered removed by the Lorain County Common Pleas Court had been removed. He said the Court's decision regarding the billboards which had been located near the Lorain-Elyria (No. 8) Interchange, was in support of the covenants which the Commission acquired when the Turnpike was built and that the Lorain County decision was the second court case which supported the covenant.

The Executive Director reported also that there was a problem at milepost 57.8 in Lucas County. He said that, in cooperation with the Lucas County

Commissioners and their Sanitary Engineer, a permit had been authorized and granted for the installation of a 78" pipe under the Turnpike. He said such permits were not uncommon but the permits, of course, were issued with a great number of precautions about construction techniques and provided for indemnification. He said the pipe was being jacked under the Turnpike so that it would not interfere with traffic unless something went wrong but that something did go wrong on the morning of July 2. He said the operation had to be halted because the mining equipment in use broke down. He said the work was being carried out in a sandy soil and there was some evidence of collapse beyond the mainline and under the shoulder on the median side and in the median. He said Turnpike staff had been on the scene continuously ever since and that Turnpike crews had been doing some grouting. The Chairman asked Mr. Harnden whether he was observing the operation. Mr. Harnden said that he had not as yet observed the work but would get right on it. The Executive Director said grouting had been done to stabilize the area and mudjacking under the pavement was being done to make sure there was no undermining of the pavements themselves. He said the trouble came at a bad time. The Chairman said the trouble could not have come at a worse time. The Executive Director said bi-directional traffic might have to be adopted. He said it was a bad time for such a thing to happen because it was very awkward to have bi-directional traffic in early July. He said the pipe had an outside diameter close to seven feet and that it was being shoved through under the Turnpike with hydraulic jacks as mining proceeded. The Chairman asked whether the work should have been delayed until after the 4th of July. The Executive Director said he did not know how long the work had been going on prior to the accident and he did not yet have that information. He said the equipment breakdown stopped the work and when the tunnel work stopped material from above flowed into the completed section of the pipe and the median and the shoulder were weakened. The Executive Director said he would make sure the contractor worked 24 hours a day until the corrective action was completed.

The Chairman said the occurrence was the most ominous thing affecting the roadway which had occurred with the exception of milepost 15 which he still worried about. He said that it was peat moss area and that it had been a fight for the Commission and staff for more than eighteen years. Mr. Harnden said that a total of six feet of mudjacking had been done at milepost 15.

Mr. Richley asked the Executive Director whether the contractors working on the mainline, or whether the Commission's own forces, had experienced any difficulty in getting fuel. The Executive Director said he was not aware of any such problem. The Executive Director said the Turnpike's contract for gasoline expired on June 30. He reported that a bid had been received from, and an award made to, Standard Oil Company of Ohio for the year 1973-74, but the signed contract had not been returned by Sohio. He said

the Commission had another contract for fuel oil because many of the heating facilities at service plazas and toll plazas were operated by fuel oil and the contract expired at the end of July. He said the Commission would be soliciting bids on fuel oil. He said the first time bids were solicited on both gasoline and fuel oil, which was early in May, no bids had been received. He said that the Turnpike did not use much Diesel fuel and what Diesel fuel would be used would be bought on purchase requisitions.

Mr. Richley asked if the bid from Standard Oil Company of Ohio was at fixed prices. The Executive Director said there was an escalation clause in the bid permitting a change of price upon 30 days notice. Mr. Richley asked the General Counsel how that could be. The General Counsel replied that the answer was that the Commission had a cancellable contract. The Executive Director said the contract required any price change to comply with any applicable freeze order or regulation. He said the price was approximately 23¢ a gallon. He said prices had increased and that appeared to be the key to the whole matter.

Mr. Teagarden said that he used fuel oil No. 5 in his plant and that he had a contract with Standard Oil to supply him with both gasoline and fuel oil and it had served notice on him that the manufacture of No. 5 was to be discontinued as of October 31.

Mr. Richley said the Department of Transportation was experiencing layoffs by contractors in construction work as the result of the lack of fuel. He said that some of the fuel going to Cambodia might have to be diverted. The Chairman said he could make a speech about that. He said that he had talked about the billions and billions and billions of gallons of gasoline which had been wasted.

The Chairman said the Executive Director had written a letter to Texaco asking Texaco if the fact that nothing had been heard from it after the Commission had declined to take action upon its request to increase the price of Diesel fuel sold at its stations was to be taken as an indication of Texaco's withdrawal of the request.

The Chairman said the report of the Executive Director was accepted as offered. He said the report of the General Counsel would be received.

The General Counsel, Mr. Cole, expressed his appreciation to the Members for his appointment and the confidence that the appointment implied.

The Chairman said he had congratulated Judge Lockwood Thompson before he left the Commission in a blaze of glory on the Texaco case and he wanted to say that Mr. Cole had been most assiduous in preparing the case.

The General Counsel said the Chairman had made some contributions of his own to that case that might be immortalized in West's Reports. The Chairman thanked the General Counsel and said he liked the brief.

The General Counsel reported that a motion had been filed to strike the intervening complaint in the case brought by James W. McCormick against ARCO and the Ohio Turnpike Commission to ask that the case against the Commission be dismissed.

The General Counsel reported also that in the Texaco case the Commission had received an answer and a demand for a jury trial.

The Chairman said the report of the General Counsel was accepted as offered. He said the report of the Consulting Engineers would be received.

The Consulting Engineers reported that the field inspection of bridges and roadway had been completed but paper work on it had not yet been done. He reported further that the inspection of buildings would be undertaken the following week.

The Chairman said the report of the Consulting Engineers was accepted as offered. He ascertained there would be no report from the Assistant Director of Information and Research.

The Chairman thanked the Commission for giving him the prospect of a quarter of a century as Chairman and he assured the Commission he would be as assiduous as he had been in the past in pursuing all malefactors. Mr. Teagarden thanked the Members of the Commission for his election and said he hoped there would never be an occasion when he would have to preside. Mr. Teagarden told the Chairman he hoped his health would always permit him to preside.

The Chairman directed that a letter be sent to Mr. Anderson to tell him the Members of the Commission were glad he was getting along so well and that the Members of the Commission regretted he was not present at the meeting but were glad he had given them his support before the meeting. Mr. Richley asked that the minutes remain open so that Mr. Anderson might have an opportunity to make the vote unanimous on election of officers. The Chairman agreed.

A resolution ratifying the actions of administrative officers was moved for adoption by Mr. Teagarden, seconded by Mr. Chastang, as follows:

RESOLUTION NO. 13-1973

"WHEREAS the executive director, deputy executive director, chief

engineer, general counsel, assistant general counsel, secretary-treasurer, assistant secretary-treasurer, comptroller, and the director of information and research of the Commission have by various written and oral communications fully advised the members of the Commission with respect to their official actions taken on behalf of the Commission since the Commission's last meeting on June 5, 1973, and the Commission has duly reviewed and considered the same;

"NOW, THEREFORE, BE IT

"RESOLVED that all official actions taken by the aforesaid administrative officers of the Commission on its behalf since the Commission's meeting on June 5, 1973 hereby are ratified, approved and confirmed."

A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Teagarden, Chastang, Richley, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 13-1973.

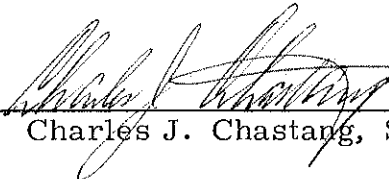
There being no further business to come before the Commission, a motion was made by Mr. Richley, seconded by Mr. Teagarden, that the meeting adjourn until September 4 subject to call of the Chairman. A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Richley, Teagarden, Chastang, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:30 p. m.

Approved as a correct transcript of the proceedings  
of the Ohio Turnpike Commission

  
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Charles J. Chastang, Secretary-Treasurer